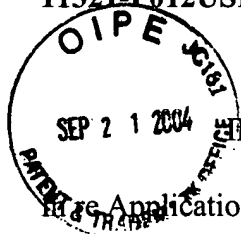


1754
sfw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Richard E. Smalley et al.

Group/Art Unit: 1754

Serial No.: 10/033,028

Filed: December 28, 2001

Title: COMPOSITIONS AND ARTICLES OF MANUFACTURE

STATEMENT FOR SUPPLEMENTAL INFORMATION DISCLOSURE
UNDER 37 C.F.R. 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

IDENTIFICATION OF SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT FOR WHICH THIS STATEMENT IS BEING MADE


1. This statement is being made for the Supplemental Information Disclosure Statement
- ☒ accompanying this statement.
- ☐ filed _____.

STATEMENT

2. I (We), the person(s) signing below state:
- that no item of information contained in the supplemental information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in § 1.56 more than three months prior to the filing of the supplemental information disclosure statement. 37 C.F.R. 1.97(e)(2).

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on September 15, 2004.


Serena Beller

IDENTIFICATION OF PERSON(S) MAKING THIS STATEMENT

3. The person making this statement is
(check each applicable item)
☐ the inventor(s) who signs below

Signature of inventor

(Type name of inventor who is signing)

- ☐ a person who is substantively involved in the preparation or prosecution of the application, and who is associated with the inventor, with the assignee, or with anyone to whom there is an obligation to assign the application (37 C.F.R. § 1.56(c)) and who signs below.

Signature of Person Making Statement

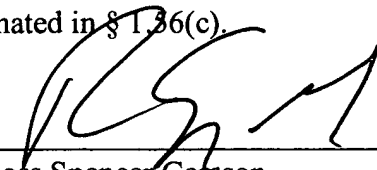
(type name of person who is signing)

Address of person who is signing

- ☒ the practitioner who signs below on the basis of the information:
(check each applicable item)

- ☐ supplied by the inventor(s)
☒ supplied by an individual designated in § 1.36(c).
☐ in the practitioner's file.

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Ross Spencer Garsson
Reg. No. 38,150

ATTORNEY DOCKET NO.
11321-P012USD13

PATENT
SERIAL NO. 10/033,028

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard E. Smalley et al.
Group Art Unit: 1754
Serial No.: 10/033,028
Filed: December 28, 2001
Title: COMPOSITIONS AND ARTICLES OF
MANUFACTURE

CERTIFICATE OF MAILING

I hereby certify that this Supplemental Information Disclosure Statement with SB/08 A-B (Form 1449) and 2 references being deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 15, 2004.

Serena Beller
SERENA BELLER

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Supplemental Information Disclosure Statement is being submitted in connection with the above-identified application for patent. Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the patentability of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56.

While this Supplemental Information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

The attached form, PTO-1449, provides a listing of patents, publications, or other information as required by 37 C.F.R. § 1.98(a)(1).

ATTORNEY DOCKET NO.
11321-P012USD13

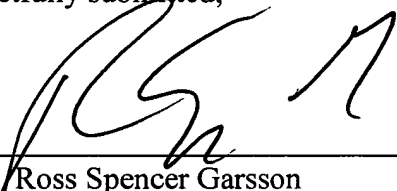
PATENT
SERIAL NO. 10/033,028

A copy of each of the items identified on the attached Form PTO-1449 is supplied herewith, except for the pending patent applications, for which no copies are being submitted.

Applicants believe that the mailing of a first Office Action on the merits has not occurred in this Application. Furthermore, each item of information contained in this Supplemental to Resubmitted Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental to Resubmitted Information Disclosure Statement. Accordingly, Applicants believe that no fee is due at this time. 37 C.F.R. § 1.97(b) and (e)(1). However, the Assistant Commissioner is hereby authorized to charge any fees to the Deposit Account No. 23-2426 (11321-P012USD13).

Respectfully submitted,

By: _____


Ross Spencer Garsson
Reg. No. 38,150

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ATTORNEYS FOR APPLICANTS

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In Place of FORM PTO-1449 (Modified)

LIST OF PATENTS AND PUBLICATIONS FOR EXAMINER'S INFORMATION DISCLOSURE STATEMENT

Serial No.: 10/033,028
Applicants: Richard E. Smalley et al.
Filing Date: December 28, 2001
Group: 1754
Atty. Docket No.: 11321-P012USD13

Reference Designation

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
____AAA						
____ABA						
____ACA						

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Yes No
____ADA						

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner Initial

____AEA

STEPHAN et al. "Doping Graphitic and Carbon Nanotube Structures with Boron and Nitrogen," *Science*, Vol. 266, pp. 1683-1685, December 1994.

Examiner:

Date Considered:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

AUSTIN_1 260671v1